

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

RP.No. 887 of 2005(F)

AGAINST THE JUDGEMENT/ORDER IN OP.11601/1998 Dated 21/06/2004
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REVIEW PETITIONER/PETITIONER IN THE O.P:

**DR. M.KULSAM BEEVI,
CIVIL SURGEON GRADE I (RETIRED), PLOT NO.17,
HOUSE NO.19/946, CHEMBAKA HOUSING COLONY,
CALICUT-673 002.**

BY ADV. SRI.THOMAS ANTONY

RESPONDENTS: RESPONDENTS 1 TO 3:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
HEALTH DEPT., SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.**
- 3. THE DISTRICT MEDICAL OFFICER OF HEALTH,
MANJERI, MALAPPURAM.**

BY GOVERNMENT PLEADER SRI. NANDAKUMAR

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 12/11/2007, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

V. GIRI ,J.

RP NO. 887 of 2005

Dated this the 12th day of November, 2007

JUDGMENT

Review is filed in relation to the observations and directions contained in paragraph – 5 of the judgment. Learned counsel for the petitioner Sri.Thomas Antony contends that a reading of the first part of paragraph-5 would indicate that this Court had considered Ext.P10 produced along with the writ petition as a final quantification of the liability. This was beyond the period of three years as provided in the KSR and consequently the same should have been followed by a direction to release the entire amount due as DCRG. Senior Government Pleader Sri.Nandakumar submits that Ext.P8 should be treated as final quantification of the liability. As a matter of fact in Ext.P10, the department had given credit to certain amounts in favour of the petitioner. Therefore, there is a reduction of the amount to be treated as liability of the petitioner. If Ext.P10 is treated as beyond the period of three years, Ext.P8 is still eligible to be treated as a liability certificate, he contends.

2. In my view, even if there is any ambiguity in the

directions contained in paragraph-5 of the judgment (which contention does not appeal to me), the same cannot be treated as an error apparent on the face of record, so as to warrant a review of the judgment as such. I find no grounds to review the judgment. Therefore the review petition is dismissed.

V. GIRI, JUDGE

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